

**Honorable court of record
IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NEW YORK**

1:08CR00054-001
1:09CR00121-001 ✓
1:09CR00141-001
1:09-CV01129-001

**SHANE C. BUCZEK, a U.S. TRUST
Petitioner, Plaintiff**

shane-christopher: buczek,
as third-party intervener and Grantor / Beneficiary
Office of the Executor

V.

UNITED STATES OF AMERICA

**MOTION and NOTICE OF MOTION
For Dismiss for Prosecutorial misconduct
And NOTICE And DEMAND to
Answer and prove they have Subject
Matter Jurisdiction in all three cases
ANSWER WITHIN THREE DAYS**

**MOTION AND NOTICE OF MOTION and AFFIDAVIT to DISMISS for
PROSECUTORIAL MISCONDUCT
And NOTICE And DEMAND to ANSWER and PROVE THAT THEY HAVE SUBJECT
MATTER JURISDICTION in ALL THREE CASE(S) & ANSWER WITHIN THREE
DAYS**

PLEASE TAKE NOTICE Petitioner Buczek, (hereafter Buczek), moves this Court with a
Notice of Motion and Motion for governmental prosecutorial misconduct court are without
subject matter jurisdiction in his case(s).

Petitioner Buczek, (hereafter Petitioner), moves and motions this Court with affidavit to dismiss
indictments **09-CR-121-S, 09-CR-141-S, 08-CR-054-S** for governmental prosecutorial
misconduct. The government knew or should have known that they were prosecuting Petitioner
without subject matter jurisdiction in his three case(s). If the government did not know, it soon
became apparent when they were noticed through Petitioner's various motions, affidavits and
Habeas Corpus that they lacked subject matter jurisdiction to proceed in these case(s).

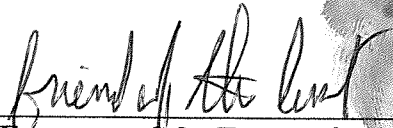
In the matter of SHANE C BUCZEK, a U.S. Trust, Petitioner and Office of the Executor
shane-christopher: buczek, heretofore and hereafter "Petitioner", notices the honorable court of
record to take notice of motion and motion for Reconsideration, under Federal Rules of Evidence
201 (d) and (f).

**I am a peaceful man and inhabitant of the creation and most often located in the
geographic region known as New York Republic of America; SHANE C. BUCZEK is a
vested interest of the United States of America and/or the United States; I am settlor and
co-beneficiary to SHANE C. BUCZEK for the mutual beneficial use of the United States of
America and/or the United States by and through holders of offices of the public trust,
public trustees and myself. Any attempt to coerce, trick, deceive, induce by fraud or otherwise
move me to engage in disposition of the vested interest(s) of the United States of America shall
be considered an act of war, treason, and sedition against the United States of America and
will be reported to the appropriate public trustees charged with protecting same.**

I certify that the facts stated herein are true and correct under the penalty of perjury as
provided by 28 USC Section 1746 and that I am over the age of 18, and that I have firsthand
knowledge the facts stated herein which I believe to be true and correct.

In Trust,

By:


Executor of the Estate of the Trust

shane-christopher: buczek
as third party intervener and
Grantor/Beneficiary/Petitioner for:
SHANE C. BUCZEK a US TRUST
All rights reserved Without Prejudice
Without recourse UCC 1-308
November 2nd, 2010

CERTIFICATE OF SERVICE

On this the 2nd day of November 2010, a true and correct copy of the following document was personally delivered to the District Court clerk for cases 1:08-CR-0054-001, 1:09-CR-00121-001, 09-CR-00141-001 and 1:09-CV-01129-001 and the Clerk will serve AUSA and U.S. government by electronic filing or by whatever acceptable means: